

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ALAN W. METCALF,

11 Petitioner,

v.

12 INGRAM,

13 Respondent.

14 CASE NO. C17-1421-JCC

ORDER

15 This matter comes before the Court on Petitioner's habeas petition (Dkt. No. 1),
16 Magistrate Judge Mary Alice Theiler's Report and Recommendation (Dkt. No. 3), and
17 Petitioner's motion to dismiss (Dkt. No. 4). Having thoroughly considered the relevant record,
18 the Court finds oral argument unnecessary and hereby finds as follows:

19 (1) The Court DENIES Plaintiff's motion to dismiss (Dkt. No. 4);
20 (2) The Court ADOPTS Judge Theiler's report and recommendation (Dkt. No. 3);
21 (3) Petitioner's habeas petition and this action are DISMISSED with prejudice.

22 DATED this 2nd day of November 2017.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE